



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

DOUGLAS HANDSHOE)

v.)

Civil Action No.1:13cv251-LG-JMR

AARON F. BROUSSARD, DANIEL ABEL)
CHARLES LEARY, VAUGHN PERRET)
CHRIS YOUNT, TROUT POINT LODGE)
LIMITED, NOVA SCOTIA ENTERPRISES,)
LLC)

PLAINTIFF'S MOTION TO STRIKE DEFENDANT LEARY, PERRET AND TROUT POINT
LODGE'S NOTICE OF CONSENT OF AARON F. BROUSSARD OF REMOVAL AS NOT
BEING FILED TIMELY, PROPERLY SUPPORTED AND NOT IN ACCORDANCE OF
WITH LOCAL RULES

Comes now Plaintiff Douglas Handshoe pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, who respectfully moves this Court for an Order striking Defendant Leary, Perret and Trout Point Lodge, Limited's Notice of Consent of Aaron F. Broussard of Removal (Document #32) and to admonish defendants Leary, Perret and Trout Point Lodge Limited to refrain henceforward from attempting to legally represent defendant Broussard.

1.

On May 30, 2013 Plaintiff served, via deputy of the Granville County North Carolina Sheriff Brindell B. Wilkins Jr., the complaint and summons in the instant action upon defendant Aaron F. Broussard at the Federal Correctional Institution – Low, located at Federal Correctional Complex, Butner North Carolina. Defendant Broussard is a self-confessed felonious politician.

2.

Defendant Broussard has failed to respond to the complaint and default has been entered against him.

3.

Defendant Broussard has been fully noticed on each step of the instant proceeding via US mail.

4.

On July 31, 2013, Defendants Leary, Perret and Trout Point Lodge submitted a *Notice of Consent of Aaron F. Broussard of Removal* on behalf of defendant Broussard, including as Exhibit A document of unknown origins citing a Power of Attorney given to defendant Broussard's son, Troy Broussard, which claims defendant Broussard's consent to removal of this instant action from the Circuit Court of Hancock County Mississippi, 6 weeks after removal and after default has been entered against defendant Broussard.

5.

There is no provision in the local rules or Federal Rules of Civil Procedure for the representation of a civil defendant via Power of Attorney. Defendant Broussard is fully capable of sending mail to this honorable court from his prison and, as a formerly licensed lawyer is also professionally capable of writing his own legal briefs. Additionally defendant Broussard, via Power of Attorney, has the ability to engage local counsel to represent him. He has failed to undertake either course of action. Instead, defendants Leary, Perret and Trout Point Lodge attempt to file court documents for their co-defendant to procedurally fix their flawed and improper removal of this Action from the Circuit Court of Hancock County Mississippi via submission of a document of questionable origin and purpose.^{1 2}

6.

Defendant Broussard has willfully ignored these proceedings and cannot now step into the instant proceeding via straw man for the benefit of Defendants Leary, Perret and Trout Point Lodge via pleading which cites a power of attorney given to a third party via a document of questionable origin.

¹ The Trust Fund Limited Inmate Computer System (TRULINCS) is a program that provides inmates with limited computer access, to include the capability to send and receive electronic messages. The email attached as "Exhibit A" to defendants' *Notice of Consent of Aaron F. Broussard of Removal* contains no message headers or any other identifying information which would allow for preliminary authentication of this document.

² The evening of August 1, 2013, Plaintiff received an email from an anonymous person "T Broussard blnk1998@hotmail.com", with a purported legal pleading attached which has not as of yet been filed with this honorable court as of August 5, 2013 at 7:25AM. This email addresses is not listed in any of the subject headers shown in defendants' "Exhibit A" was emailed to Plaintiff for an unknown purpose by person(s) unknown to the Plaintiff at this time.

CONCLUSION

For the foregoing reasons, Plaintiff respectfully asks this Court for an Order striking Defendant Leary, Perret and Trout Point Lodge, Limited's *Notice of Consent of Aaron F. Broussard of Removal* (Document #32) and to admonish defendants Leary, Perret and Trout Point Lodge Limited to refrain henceforward from attempting to legally represent or speak for defendant Broussard, whom has willfully ignored these proceedings.

Respectfully submitted



Plaintiff, Propria Persona
Douglas Handshoe
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Bay St Louis, MS 39520
(228) 284-0004
earming04@gmail.com

CERTIFICATE OF SERVICE

I, Douglas Handshoe, certify I have sent a true and correct copy of the foregoing motion and affidavit to the following via United States Mail:

Aaron F. Broussard #32234-034
Butner Low FCI
Post Office Box 999
Butner, NC 27509

Chris Yount
160 Metairie Lawn Dr
Metairie, LA 70001

Daniel G. Abel
C/O The Super 8 Motel / Desai Enterprises
2421 Clearview Parkway, Room 106
Metairie, LA 70001

Henry Laird, Jones Walker
2510 14th Street, Suite 1125
Gulfport, MS 39501
Attorney for Trout Point Lodge Limited,
Charles Leary and Vaughn Perret

I, Douglas Handshoe, certify I have sent a true and correct copy of the foregoing motion and affidavit to the following via Electronic Mail:

Craig J. Geraci, Jr.
Kahn Swick & Foti, LLC
206 Covington Street
Madisonville, Louisiana 70447
Attorney for Nova Scotia Enterprises, LLC
Craig.Geraci@ksfcounsel.com



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